

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

ANTHONY COURTOIS,

Plaintiff,

v.

UNION PACIFIC RAILROAD
COMPANY,

Defendant.

)
)
)
)
)
)
)
)
)
)
)

No. 4:22-CV-133 RLW

MEMORANDUM AND ORDER

This matter is before the Court on Plaintiff Anthony Courtois's Motion to Compel Discovery pursuant to Federal Rule of Civil Procedure 37. (ECF No. 44). Defendant Union Pacific Railroad Company failed to respond to the motion, and the time to do so has expired. For the reasons that follow, Plaintiff's Motion to Compel Discovery is granted.

In his Motion to Compel, Plaintiff moves that the Court compel Defendant to respond to Plaintiff's First Interrogatories and First Request for Production of Documents, which were served on the defendant on August 5, 2022. According to Plaintiff, Defendant has failed to provide any answers or responses to Plaintiff's discovery requests.

In his motion, Plaintiff details his counsel's attempts to resolve the discovery dispute without involving the Court, which included a number of emails and telephonic communications with opposing counsel. The Court finds counsel has met the requirements of Local Rule 3.04(A).¹


¹Local Rule 3.04(A) provides the following:

The Court will not consider any motion relating to discovery and disclosure unless it contains a statement that movant's counsel has conferred in person or by telephone with the opposing counsel in good faith or has made reasonable efforts

Finding Plaintiff's counsel has met the requirements of Local Rule 3.04(A) and receiving no response in opposition from Defendant, the Court grants Plaintiff's Motion to Compel. The Court, therefore, will compel Defendant to respond to Plaintiff's First Interrogatories and First Request for Production of Documents.

Accordingly,

IT IS HEREBY ORDERED that Plaintiff Anthony Courtois's Motion to Compel Discovery is **GRANTED**. [ECF No. 44]. On or before **March 10, 2023**, Defendant Union Pacific Railroad Company shall provide Plaintiff with its complete answers to Plaintiff's First Interrogatories and responses to Plaintiff's First Request for Production. Defendant shall provide its answers and responses without objections.



RONNIE L. WHITE
UNITED STATES DISTRICT JUDGE

Dated this 28th day of February 2023.

to do so, but that after sincere efforts to resolve their dispute, counsel are unable to reach an accord. This statement also shall recite the date, time and manner of such conference, and the names of the individuals participating therein, or shall state with specificity the efforts made to confer with opposing counsel.

E.D. Mo. L.R. 3.04(A) (emphasis added).